

Minutes of a Meeting of the Town Board of the Town of Riverhead, held in the Town Hall, Riverhead, New York, on Tuesday, April 3, 1979 at 7:30 P.M.

Present: Allen M. Smith, Supervisor  
George G. Young, Councilman  
Francis E. Menendez, Councilman  
John Lombardi, Councilman  
Antone J. Regula, Councilman

Also present: Henry S. Saxtein, Town Attorney  
Absent: Alex E. Horton, Supt. of Highways

Supervisor Smith called the Meeting to order at 7:30 P.M., and the Pledge of Allegiance was recited.

Councilman Menendez offered the following resolution which was seconded by Councilman Young.

RESOLVED, That the Minutes of the Town Board Meetings held on March 6, 1979 and March 20, 1979, be approved as submitted.

The vote, Regula, Yes, Lombardi, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.

The resolution was thereupon declared duly adopted.

#### BILLS

Bills submitted on Abstract dated April 3, 1979 as follows:

General Town (1978 Enc.)	\$-----
General Town	\$21,959.33
Capital Projects	\$14,634.20
Community Development	\$ 516.37
Special Districts	\$ 301.48
Highway Item #3 (1978 Enc.)	\$ 3,972.98
Highway Item #1	\$ 1,608.80
Highway Item #3	\$ 1,871.60
Highway Item #4	\$ 1,179.96

Councilman Young offered the following resolution which was seconded by Councilman Menendez.

RESOLVED, That subject to complete audit the following bills be approved for payment.

General Town (1978 Enc.)	\$-----
General Town	\$21,959.33
Capital Projects	\$14,634.20
Community Development	\$ 516.37

BILLS - continued

Special Districts	\$ 301.48
Highway Item #3 (1978 Enc.)	\$ 3,97.298
Highway Item #1	\$ 1,608.80
Highway Item #3	\$ 1,871.60
Highway Item #3	\$ 1,179.96

The vote, Regula, Yes, Lombardi, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.

The resolution was thereupon declared duly adopted.

Supervisor Smith: "We have had on our Town Board Agenda since January of 1976 at various different times and at various different frequencies, work relating first to the cleaning up and the rehabilitation of 821 East Main Street. It is somewhat a unique venture. Anyone that is familiar with the topic of subsidized family housing that generates a great deal of emotion, but for the Town of Riverhead a great deal of hard work.

We have in a period of time since 1976 done a number of things, one of which was the creation of a housing agency which is called the Riverhead Housing Development Corporation. This afternoon there was a meeting of that Corporation and the final documents for a closing to be held with reference to the rehabilitation of 821 East Main Street for a considerable number of dollars were adopted by that Board. The way this works is that Board has no independent life and anything that it does, must be blessed by the Town Board. We have representatives from the bonding company who will purchase these bonds and the Wall Street Attorney's that represent the Town. They're present this evening and both of them have to return to Westchester.

We have two resolutions on our agenda, they are numbers 160 and 161. Doctor Menendez has some of them — they are long resolutions and I will attempt to save one or more of the Town Board Members from going hoarse, reading them to you. The first approves the letting of the construction phase of this project for four million dollars and change or thereabouts and the second is the long-term financing. The one thing that would immediately come to the public's mind is whether or not this is taxpayer dollars and one of the things that is absolutely clear in these documents is that there is no liability of the taxpayer of the Town of Riverhead with reference to this project. Is anybody extremely interested in hearing four pages of "legaleeze" on each of these?"

#160      RESOLUTIONS  
APPROVES ISSUANCE OF HOUSING DEVELOPMENT CORP. -  
MORTGAGE BONDS - \$4,185,000

Councilman Menendez offered the following resolution which was seconded by Councilman Young.

WHEREAS, The Town of Riverhead (the "Town") is (i) authorized to exercise the powers of a municipal housing authority under the laws of the State of New York (the "State"), particularly Section 55 of the Public Housing Law, and (ii) a public housing agency under the provisions of the United States Housing Act of 1937, as amended (the "Act"); and

WHEREAS, The Riverhead Housing Development Corporation (the "Issuer") is a not-for-profit corporation duly incorporated under the Not-for-Profit Corporations law of the State for the purposes of carrying out or assisting in carrying out one or more low-income housing projects (including assisting by borrowing and lending funds) in, and approved by, the Town; and

WHEREAS, The United States Department of Housing and Urban Development ("HUD") heretofore has approved the Issuer as an instrumentality of the Town and a public housing agency within the meaning of the Act and the HUD regulations thereunder; and

WHEREAS, The Town has approved the construction in the Town of 134 units of housing for persons and families of lower income (the "Project") by Riverhead Village Associates, a limited partnership organized and existing under the laws of the State (the "Owner"); and

WHEREAS, There has been submitted to this meeting by-laws, a description of the project program of the Issuer with respect to the financing, operation and management of the Project (the "Program") and a listing of the projected expenditures of the Issuer in connection with the financing and initial year of operation of the Project (the "Project Expenditures"); and

WHEREAS, By separate resolution heretofore adopted on this date, the Town has approved (i) the issuance of the Issuer's Project Construction Note (Riverhead Village Apartments Project) and (ii) related documents to provide monies with which to finance the cost of construction of the Project; and

WHEREAS, The Town has determined that the permanent financing of the Project will be facilitated by the issuance of tax-exempt obligations by the Issuer, as a designated instrumentality of the Town and in accordance with the Act and the HUD regulations thereunder; and

WHEREAS, There has been submitted to this meeting the proposed forms of the following documents (collectively, the "Permanent Financing Documents"):

(a) Trust Indenture, dated as of February 1, 1979 (the "Indenture") between the Issuer and Bankers Trust Company, as trustee (the "Trustee"), providing for the

RESOLUTIONS - continued

issuance of the Issuer's Section 8 Assisted Mortgage Revenue Bonds (Riverhead Village Apartments Project) in the aggregate principal amount of \$4,185,000 (the "Bonds");

(b) Bond Purchase Agreement, dated March 5, 1979 (the "Bond Purchase Agreement"), between the Corporation, Bear, Stearns & Co. and J.B. Hanauer & Co. and Related Housing Companies, Incorporated;

(c) Cooperation Agreement, between the Town, the Town of Huntington Housing Authority and the Owner; and

WHEREAS, The approval by the Town of the issuance of the Bonds, the Project, Program and Project Expenditures is required by the Act and the HUD regulations thereunder not more than sixty (60) days prior to the date of their issuance; and

WHEREAS, The Town has determined to grant such approvals in connection with the issuance of the Bonds upon the terms and conditions set forth in this resolution;

NOW, THEREFORE, Be it resolved by the Town Board of the Town of Riverhead, New York, as follows:

Section 1. The Town hereby approves:

- (a) The Project;
- (b) The Project;
- (c) The Project Expenditures; and
- (d) The by-laws or the Issuer.

Section 2. The Town hereby approves the forms and substance of each of the Permanent Financing Documents (in substantially the forms submitted to this meeting) and of the Bonds (in the form included in the Indenture). Any cooperation agreement, and any amendments thereto, between the Town and the Town of Huntington Housing Authority previously entered into being REPEALED and SUPERSEDED.

Section 3. The Town hereby approved the issuance by the issuer of the Bonds in the principal amount of \$4,185,000 and the execution and delivery of the Indenture, provided that:

- (a) The Bonds approved pursuant to this Section 3 shall (i) be issued, executed, sold and delivered at such time as is provided in the Bond Purchase Agreement and (ii)

RESOLUTIONS - continued

bear interest at the rates, be subject to redemption prior to maturity and be issued in such manner and on such conditions as are set forth in the Indenture.

(b) The Bonds shall be issued solely for the purpose (i) of providing permanent financing for the Project and (ii) as are otherwise set forth in Section 4.02 of the Indenture.

(c) The Bonds shall not be a debt of the United States of America, the State of New York or the Town of Riverhead, New York, and neither the United States of America, the State of New York, nor the Town of Riverhead, New York, shall be liable thereon.

Section 4. The Supervisor, the Town Clerk and the Town Attorney are hereby severally authorized, empowered and directed to execute and deliver, in the name and on behalf of the Town, all documents, certificates and instruments and to do all acts and things required or provided for by the Permanent Financing Documents, or in the reasonable discretion of the person acting, desirable and proper to effect the purposes of the foregoing resolution.

Section 5. This Resolution shall take effect immediately.

The vote, Regula, Yes, Lombardi, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.

The resolution was thereupon declared duly adopted.

#161 APPROVES ISSUANCE OF HOUSING DEVELOPMENT CORP. -  
INTERIM NOTE - \$3,795,300

Councilman Menendez offered the following resolution which was seconded by Councilman Young.

WHEREAS, The Town of Riverhead (the "Town") is (i) authorized to exercise the powers of a municipal housing authority under the laws of the State of New York (the "State"), particularly Section 55 of the Public Housing Law, and (ii) a public housing agency under the provisions of the United States Housing Act of 1937, as amended (the "Act"); and

WHEREAS, The Riverhead Housing Development Corporation (the "Issuer") is a not-for-profit corporation duly incorporated under the Not-for-Profit Corporations Law of the State for the purposes of carrying out or assisting in carrying out one or more low-income housing projects (including assisting by borrowing and lending funds) in, and approved by, the Town, and

WHEREAS, The United States Department of Housing and

RESOLUTIONS - continued

Urban Development ("HUD") heretofore has approved the Issuer as an instrumentality of the Town and a public housing agency within the meaning of the Act and the HUD regulations thereunder; and

WHEREAS, The Town has approved the construction in the Town of 134 units of housing for persons and families of lower income (the "Project") by Riverhead Village Associates, a limited partnership organized and existing under the laws of the State (the "Owner"); and

WHEREAS, The Owner has applied to the Issuer for a construction loan in the principal amount of \$3,795,300 (the "Construction Loan") to finance the construction of the Project; and

WHEREAS, The Town has determined that the construction financing of the Project will be facilitated by the issuance of tax-exempt obligations by the Issuer, as a designated instrumentality of the Town and in accordance with the Act and the HUD regulations thereunder, the proceeds thereof to be used to make the Construction Loan; and

WHEREAS, There has been submitted to this meeting the proposed forms of the following documents (collectively, the "Construction Financing Documents"):

(a) Construction Loan Agreement, between the Issuer and the Owner;

(b) Construction Mortgage, given by the Owner to the Issuer;

(c) Construction Note from the Owner to the Issuer;

(c) Guaranty;

(e) Assignment of Rents, from the Owner to the Issuer;

(f) Contractor Assignment;

(g) Architect Assignment;

(h) Interim Loan Agreement (the "Interim Loan Agreement"), between the Issuer and Continental Illinois Bank and Trust Company of Chicago (the "Bank");

(i) Interim Note (Riverhead Village Apartments Project) in the principal amount of \$3,795,300 (the "Interim Note");

(j) Interim Reassignment, from the Issuer to the Bank;

RESOLUTIONS - continued

(k) HAP Assignment;

(l) Indenture Assignment, from the Issuer to the Bank;

(m) Buy-Sell Agreement; and

(n) Power of Attorney, from the Issuer to the Bank;

WHEREAS, The approval by the Town of the issuance of the Interim Note is required by the Act and the HUD regulations thereunder not more than sixty (60) days prior to the date of their issue;

WHEREAS, The Town has determined to grant such approval in connection with the issuance of the Interim Note upon the terms and conditions set forth in this resolution;

NOW, THEREFORE, Be it resolved by the Town Board of the Town of Riverhead, New York, as follows:

Section 1. The Town hereby approves the forms and substance of each of the Construction Financing Documents (in substantially the forms submitted to this meeting) and of the Interim Note.

Section 2. The Town hereby approves the issuance by the Issuer of the Interim Note in the principal amount of \$3,795,300, provided that:

(a) The Note will be in the principal amount of \$3,795,300, will bear interest at the rate or rates and will mature and will have such other provisions and be issued in such manner and on such conditions as are set forth in the Interim Loan Agreement.

(b) The Note will be issued solely for the purpose of (i) providing funds to make the Construction Loan to the Owner and (ii) paying necessary expenses incidental thereto.

(c) The Note and the interest thereon will be special obligations of the Issuer and will be payable solely out of the revenues, receipts and other payments derived from or in connection with the Construction Loan Documents, the Interim Reassignment and the enforcement thereof, the HAP Agreement, the HAP Agreement and the enforcement thereof, and the various pledges, assignments and security interests created by the Interim Loan Agreement and the enforcement thereof. The Note and the interest thereon will not be a debt

RESOLUTIONS - continued  
 of the United States of America, the State or the Town,  
 and neither the United States of America, the State nor  
 the Town will be liable thereon. No recourse may be had  
 for the payment of this principal or of interest on the  
 Note, or for any claim based thereon, or otherwise in  
 respect thereof, against any past, present or future  
 incorporator, member, officer, director or employee,  
 as such, of the Issuer or of any successor corporation;  
 and

Section 3. The Supervisor, the Town Clerk and the Town  
 Attorney are hereby severally authorized, empowered and  
 directed to execute and deliver, in the name and on  
 behalf of the Town, all documents, certificates and  
 instruments and to do all acts and things required or  
 provided for by the Construction Financing Documents  
 or, in the reasonable discretion of the person acting,  
 desirable and proper to effect the purposes of the fore-  
 going resolution.

Section 4. This Resolution shall take effect immediately.

The vote, Regula, Yes, Lombardi, Yes, Menendez, Yes,  
 Young, Yes, and Smith, Yes.

The resolution was thereupon declared duly adopted.

Supervisor Smith then stated: "Mr. Rothman we thank you  
 for coming out from the City and we look forward to seeing  
 you for the closing next Wednesday, hopefully.

We'll go back to our regular agenda."

OPEN BID REPORT - LANDFILL EQUIPMENT - SANITATION DEPARTMENT

After being duly advertised, the bids for equipment for  
 the Sanitary Landfill were opened by the Town Clerk on Monday,  
 March 26, 1979 at 11:00 A.M. as follows:

RODAN EQUIPMENT CO., INC.  
 130-07 26 Avenue  
 Flushing, New York 11352

ITEM 1

Furnish and deliver one new diesel-powered  
 tractor dozer equipped with straight blade  
 type bulldozer with tilt cylinder, all in  
 accordance with the specifications.

LUMP SUM . . . . . (\$99,980.00)  
 Ninety-nine thousand nine hundred eighty DOLLARS



OPEN BID REPORT - LANDFILL EQUIPMENT - SANITATION  
DEPARTMENT - continued

ITEM 2

Furnish and deliver one new diesel-powered rubber tired loader equipped with an eight (8) cubic yard general purpose bucket, all in accordance with the specifications.

LUMP SUM . . . . . (\$ NO BID )  
 DOLLARS

ITEM 3

Trade-in of the Town-owned, used caterpillar rubber tired loader, model 966C, equipped with four (4) cubic yard general purpose bucket, with approximately 19,000 hours of operation as of November 1978, including transportation charges to Bidder's destination.

LUMP SUM . . . . . (\$10,000.00 )  
 Ten Thousand \_\_\_\_\_ DOLLARS

TOTAL BID ( SUM OF ITEM 1)

. . . . . (\$99,980.00 )  
 Ninety-nine thousand nine hundred eighty DOLLARS

ALTERNATE TOTAL BID ( SUM OF ITEM 1, MINUS ITEM 3)

. . . . . (\$89,980.00 )  
 Eighty-nine thousand nine hundred eighty DOLLARS

Delivery shall be made within ~~30~~ calendar days after signing the contract. 30-60 Days Delivery. (Handwritten in)

2% PROMPT PAYMENT CASH DISCOUNT 30 DAYS.

CERTIFIED CHECK

FILED.

GEORGE MALVESE & CO., INC.  
 530 Old Country Road  
 Hicksville, New York

ITEM 1

Furnish and deliver one new diesel-powered tractor dozer equipped with straight blade type bulldozer, with tilt cylinder, all in accordance with the specifications.

OPEN BID REPORT - LANDFILL EQUIPMENT - SANITATION  
DEPARTMENT - continued

LUMP SUM . . . . . (\$110,785.00 )  
One hundred ten thousand, seven hundred  
and eighty-five DOLLARS

ITEM 2

Furnish and deliver one new diesel-powered rubber tired loader equipped with an eight (8) cubic yard general purpose bucket, all in accordance with the specifications.

LUMP SUM . . . . . (\$170,080.00 )  
One hundred seventy thousand and eighty DOLLARS

ITEM 3

Trade-in of the Town-owned, used Caterpillar Rubber Tired Loader, model 966C, equipped with four (4) cubic yard general purpose bucket, with approximately 19,000 hours of operation as of November 1978, including transportation charges to bidder's destination.

LUMP SUM . . . . . (\$2,500.00 )  
Two thousand five hundred DOLLARS

TOTAL BID (SUM OF ITEMS 1 AND 2)

Two hundred eighty thousand eight hundred (\$280,865.00 )  
and sixty-five DOLLARS

ALTERNATE TOTAL BID (SUM OF ITEMS 1 AND 2, MINUS ITEM 3)

Two hundred seventy-eight thousand three (\$278,365.00 )  
hundred sixty-five DOLLARS

CERTIFIED CHECK

FILED.

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OPEN BID REPORT - LANDFILL EQUIPMENT - SANITATION  
DEPARTMENT - continued

EDWARD EHRBAR, INC.  
 100 Secor Lane  
 Pelham Manor, New York 10803

ITEM 1

Furnish and deliver the new diesel-powered tractor dozer equipped with straight blade type bulldozer with tilt cylinder, all in accordance with the specifications.

LUMP SUM . . . . . (\$120,000.00 )  
 DOLLARS

ITEM 2

Furnish and deliver one new diesel-powered rubber tired loader equipped with an eight (8) cubic yard general purpose bucket, all in accordance with the specifications.

LUMP SUM . . . . . (\$199,000.00 )  
 DOLLARS

ITEM 3

Trade-in of the Town-owned, used Caterpillar rubber tired loader, model 966C, equipped with four (4) cubic yard general purpose bucket, with approximately 19,000 hours of operation as of November 1978, including transportation charges to Bidder's destination.

LUMP SUM . . . . . (\$15,000.00 )  
 DOLLARS

TOTAL BID (SUM OF ITEMS 1 AND 2)

. . . . . (\$319,000.00 )  
 DOLLARS

ALTERNATE TOTAL BID (SUM OF ITEMS 1 AND 2, MINUS ITEM 3)

. . . . . (\$304,000.00 )  
 DOLLARS

BID BOND

FILED.

OPEN BID REPORT - LANDFILL EQUIPMENT - SANITATION  
DEPARTMENT - continued

H.O. PENN MACHINERY CO., INC.  
 1561 Stewart Avenue  
 Westbury, New York 10590

ITEM 1

Furnish and deliver one new diesel-powered tractor dozer equipped with straight blade type bulldozer with tilt cylinder, all in accordance with the specifications.

LUMP SUM . . . . . (\$130,844.00 )  
 DOLLARS

ITEM 2

Furnish and deliver one new diesel-powered rubber tired loader equipped with an eight (8) cubic yard general purpose bucket, all in accordance with the specifications.

LUMP SUM . . . . . (\$213,026.00 )  
 DOLLARS

ITEM 3

Trade-in of the Town-owned, used caterpillar rubber tired loader, model 966C, equipped with four (4) cubic yard general purpose bucket, with approximately 19,000 hours of operation as of November 1978, including transportation charges to Bidder's destination.

LUMP SUM . . . . . (\$39,000.00 )  
 DOLLARS

TOTAL BID (SUM OF ITEMS 1 AND 2)

. . . . . (\$343,870.00 )  
 DOLLARS

ALTERNATE TOTAL BID (SUM OF ITEMS 1 AND 2, MINUS ITEM 3)

. . . . . (\$304,870.00 )  
 DOLLARS

CERTIFIED CHECK

FILED.

Supervisor Smith: "We will not award this bid this evening. We will wait from a report from our consulting engineers on this bid."

OPEN BID REPORT - GRIT FOR THE RIVERHEAD HIGHWAY  
DEPARTMENT

After being duly advertised, the following bid for Grit for the Riverhead Highway Department were opened by the Town Clerk on Wednesday, March 21, 1979 at 11:00 A.M.

BROOKHAVEN AGGREGATES, LTD.  
P.O. Box 419  
Whiskey Road  
Coram, New York 11727

PRICE PER TON GRIT DELIVERED TO RIVERHEAD  
TOWN HIGHWAY YARD, OSBORNE AVENUE, RIVERHEAD,  
N.Y. AS DIRECTED BY SUPERINTENDENT OF HIGHWAYS: \$ 5.90

PRICE PER TON GRIT PICKED UP AT PLANT OF  
SUCCESSFUL BIDDER: \$ 4.80

DISTANCE IN MILES FROM HIGHWAY YARD, OSBORNE AVENUE, RIVERHEAD  
NEW YORK. 22

FILED.

A & G MATERIALS, INC.  
168 Town Line Road  
Kings Park, New York

PRICE PER TON GRIT DELIVERED TO RIVERHEAD  
TOWN HIGHWAY YARD, OSBORNE AVENUE, RIVERHEAD,  
N.Y. AS DIRECTED BY SUPERINTENDENT OF HIGHWAYS: \$ 8.23

PRICE PER TON GRIT PICKED UP AT PLANT OF  
SUCCESSFUL BIDDER: \$ 6.60

DISTANCE IN MILES FROM HIGHWAY YARD, OSBORNE AVENUE, RIVERHEAD  
NEW YORK. 19

FILED.

REPORTS

Police Department for the month of March, 1979. Filed.  
Tax Receiver's report dated March 21, 1979, and April 2, 1979. Filed.  
Building Department for the month of March, 1979. Filed.  
Conservation Advisory Council - minutes of March 21, 1979 Meeting. Filed.

APPLICATIONS

Jamesport Fire Department, 3/16/79 - for permit for parade in Jamesport on July 25, 1979. Filed.

East Main Street Associates, 3/21/79 - site plan application. Filed.

Riverhead Rotary Club - application for carnival to be held April 3, 1979 to April 8, 1979. Filed.

Special Permit: Polish Town Civic Association (re-establish non-conforming use in Bus. C). Filed.

Suffolk County Committee for World Peace Tax Fund - for a permit to assemble at 12:00 noon, 4/14/79. Filed.

Supervisor Smith: "Let's take them in reverse order. The World Peace will be in the IRS Building if anybody is interested. They have filled out the requisite police notification. The special permit of the Polish Town Civic Association will be the subject of a public notice resolution in the evening. The Riverhead Rotary Club Carnival, likewise, will be the subject of a resolution later. East Main Street Associates site plan application, although they've requested we remove certain green plantings that we've required around the IRS Building that they don't want to put in and they don't like a fence, they're not going to have us waive either one of them. It may be Mr. Saxtein that that's got to be done by resolution, that denial. The site plan review may require that we act within sixty days of receiving or it's esteemed granted. The Jamesport Fire Department will be permitted, but I don't know if we're going to have a resolution tonight."

COMMUNICATIONS

Town of Southampton, 3/28/79 - notice of public hearing on 4/24/79 re: amending Ordinance #26. Filed.

Arthur Illjes, 3/29/79 - offering services to man Peconic Avenue information booth this summer. Filed.

COMMUNICATIONS - continued  
Suffolk County Historical Society - inviting Board Members to the opening of Polish Exhibit on 4/7/79. Filed.

Riverhead Varisty Club, 3/29/79 - requesting permission to use Stotsky Park for Softball Game. Filed.

John L. Behan, 3/26/79 - advising Town Board that present funding levels for on-the-job training are supported by him and that he has confidence that efforts will be successful. Filed.

Jamesport Fire District, 3/29/79 - advising of the resignation of Perry V. Conklin, Jr. as a Commissioner of the Jamesport Fire District. Filed.

Mainline Steam Foundation, Inc., 3/26/79 - inviting Board Members to a reception on April 21st to outline "Engine 39" project. Filed.

County Department of Planning, 3/28/79 - advising that no further action will be taken re: Amended Zoning Ordinance, Section 108-56(Signs), having received no response. Filed

Town of Brookhaven, 4/2/79 - notice of adoption of amendment to Chapter 85, PRC-3, Sec.85-63 J,K, & M. Filed.

UNFINISHED BUSINESS

Special Permit Application: Segal Bros. Co. (non-  
nuisance industry).

Special Permit Application: John O'Neill (marina &  
boat yard, Aquebogue)

Special Permit Application: Bay Isle Oil Corp. (service  
station, Wading River)

Site Plan: Raymond McKay (fish stand, Aquebogue)

Supervisor Smith: "Under unfinished business the application of the Segal Brothers will be the subject of a resolution this evening. The application of Mr. O'Neill will be held for a decision to be rendered at the next Town Board Meeting. The application of Bay Isle Oil is the subject of a resolution calling for a public hearing. For the Wading River representative here tonight, that's the one at Parker

PERSONAL APPEARANCESSupervisor Smith continues:

and 25A, I believe. The site plan of Raymond McKay, that one will also be held until the second meeting of the month. The possibility exists, I did not work on this today, but Doctor Menendez and the other men did, that Mr. McKay will get his act together, so to speak, and it is a seasonal location. It is the McKay stand on 25 in Aquebogue. We may, representation of the press, sunshine law, call a special meeting to deal with that. We'll give you a call.

That brings us to that portion of our agenda where we will listen to anyone who wishes to address the Town Board. If you have not ever been here before and you should choose to address us on any topic, we ask that you please use this microphone up here and before you begin speaking, give your name and address to Mrs. Pendzick such that she can take it down. There are no special hearings tonight. The floor is open on any topic, should anyone choose to avail themselves the opportunity to address the Town Board. Does anyone wish to do so? Yes Sir?"

John Ottaviano, High View Drive, Wading River; "I would like to address the Board in relation to the roads in Tidewoods which are at this point falling apart. I think at least several members of the Board are aware of it now. I would like to know why nothing has been done. I'm not really sure why nothing has been done. I'm not really sure why something hasn't been done because apparently Mr. Horton has agreed to accept the roads at a prior Town Board Meeting. The Town released the bonds on these roads in 1977, I believe, the Town Board passed a resolution accepting these roads. The deeds involving the roads at least I believe have been received by the Town Board, and Mr. Horton apparently will not come in and do anything with the roads. Now his claim is that he needs more money. In the meantime, the roads are falling apart. They are in a dangerous condition and they will only get worse and cost more money in the future. I would like to know if the Town Board could offer any suggestion as to relief in this particular problem."

Supervisor Smith: "George do you want to deal with this one?"

Councilman Young: "Thanks Allen. I've got Alex's letter in front of me here. I'll read it to you.

In reference to your letter of March 15, this is to Mr. Saxtein, our Town Attorney. Maybe I should read Mr. Saxtein's letter first. I think I have that here somewhere. What Mr. Saxtein said was that literally we own the roads and Alex should take care of them. In Alex's reply on March



PERSONAL APPEARANCES - continuesCouncilman Young continues:

19th, in reference to your letter of March 15th, I have no objection to taking over the roads in Tidewoods, however, I would appreciate them being taken over legally. It seems very strange to me that everytime anything is done in Riverhead it turns out to be a big deal and a lot of red tape. All I ask is to have the Tidewoods roads taken over and be put in the highway system and give me the money to maintain them. So far I have been spending money on these roads illegally, because I was asked by the Town Board Members to do so.

To put these roads in shape for the rest of 1979 would cost \$7,500 which was not appropriated in my 1979 budget. This does not include any drainage work.

The law you speak of — this is the law that Mr. Saxtein spoke of when he said the roads are Town Roads at the present time and Alex should maintain them. And Alex says the law you speak of in section 171 O.P. Atty Gen. 1978 of Feb 17, in my opinion has no bearing on these roads at all.

Very truly yours,  
Alex Horton (End)'

We're kind of getting into with "catch 22". It's been the Town Board's position that these are Town highways at the present time and, Alex, because there has been no level of dedication and it hasn't been taken over in the manner that we took them over in the past, claims that we haven't taken them over and he didn't put any money in his budget last year in anticipation of doing these roads. So when he made his budget, he didn't include them. So for all intenseive purposes, the money isn't there. Now it's up to this Town Board to make a decision. Somebody's got to bend. I, as one of the Town Board Members will try to find \$7500 and give it to Alex and get him to fix the roads. But you'll have to ask the other members for their opinions."

John Ottaviano: "Can I do that right now? Doc Menendez ?"

Councilman Menendez: "Mr. Ottaviano, I know we've been fighting a long while with Mr. Horton. But it goes against my grain that the people in Tidewoods have to be the ones who suffer for it. Frankly, I feel we should find somebody somewhere or fix those roads. I don't care who pays for it, but fix the roads first and do our fighting on our own time. So I think it's something we should look into. Seventy-five hundred is it George?"

PERSONAL APPEARANCES - continued

Councilman Young: "Seventy-five hundred Dollars."

Councilman Menendez: "And if Horton fixes them or a private contractor, I don't care. It should be fixed. There's a woman up there, a Mrs. Mullens who apparently has trouble getting out of her driveway. She's afraid her car is going to disappear into the crack in the road. Last week, I assumed that was going to be fixed temporarily so she could get in and out. I talked to her today and not a thing had been done. I think we should do something, somehow and do it quick and then fight with Horton afterwards."

John Ottaviano: "Thank you. Mr. Lombardi?"

Councilman Lombardi: "John I'm for fixing the roads if we could find about \$5400 more, I could use it for my truck."

John Ottaviano: "Mr. Regula?"

Councilman Regula: "Yes, we might be able to resolve part of this tomorrow. The Town Board is to meet with Alex Horton on some other matters and I feel that we are ready to do something. However, we'll just have to wait for the comments from our Supervisor to see how he feels on this."

John Ottaviano: "Mr. Smith?"

Supervisor Smith: "John, you and I have had several dialogues very similar to this now for the past three years, and I enjoy your company and the last one I recall is we have not had for the last year, Alex Horton's presence in this room, but you asked very much the same questions. What would it take to get the roads taken over and Mr. Horton sat back there about six rows back and stood up and they put it on the record rather clearly, I recall that the only thing that we needed to do was to get a deed and everything would be nice as far as your roads go. Did I imagine wrong?"

John Ottaviano: "No you were correct."

PERSONAL APPEARANCES - continued

Supervisor Smith: "So what we're all being a victim to this evening, is blackmail. Now I've been blackmailed before, but you know, let's call it what it is. Now I, for the past two years, have not signed an agreement that comes under the highway law between the Highway Superintendent and the Town Board because Mr. Horton will not specify the roads that he will maintain or not maintain. And it seems to me he maintains those roads which he wishes to maintain, and those that he doesn't wish to maintain, are the responsibility of the Town Board'. I don't know that there is any deed laying out the roads in Tidewoods and he's in there. I don't know that there's any laying out of the highways in Beverly Hills, which Mr. Horton owned and he maintains. So we're being stuck up. If we recognize we're being stuck up, we're going to take \$7500 from some other program to fool or play with this. I guess that's what we're going to have to do. It doesn't make me feel any better about it."

John Ottaviano: "Well it doesn't make me feel any better, Mr. Smith. I would tend to agree with you in part because Mr. Horton has been very inconsistent. He said quite a few times he would not take over the roads in Tidewoods and yet I have a letter dated December 6, 1972 addressed to Mrs. Guyer on the Planning Board saying that in reply to your letter of December 2, 1972 regarding the above subdivision, this is Tidewoods, of course, please be advised that I have inspected those roads and find that they have been completed and are in accordance with the Town specifications. I might add, however, that all drains and sand and gutters will have to be cleaned. Now after that and I, was not aware of this, he said he would never take over the roads and, of course, he's vacillated on that . . ."

Supervisor Smith: "There was no correspondence indicating that he had sufficient money in his budget to maintain the roads. Be that as it may, my caution is that we have a great deal of correspondence and certain statements made by the gentleman in this room on the record and after the statements were made and we've got it settled, you know there's always a new wrinkle and I'm afraid we're going to look like terrible schmucks if we try to buy him out of \$7500 and two weeks after that he says no deal this week. We've got to get up another \$7500."

John Ottaviano: "I might tend to agree with you, Mr. Smith, however, the road situation is becoming drastic."

PERSONAL APPEARANCES - continuedJohn Ottaviano continues:

And if an action isn't taken say before the next heavy rains, there's going to be possibly an area where you can't even enter into the development. So it's one of these deals where . . ."

Supervisor Smith: "I didn't write a letter in 1972 when I was off in law school saying those roads were good — I guess I wasn't in law school, not quite that far back. Okay we'll work on it."

John Ottaviano: "Thank you."

Supervisor Smith: "Anyone else? Other topics? Mr. Nohejl."

Bill Nohejl, Wading River, Long Island Farm Bureau; read the following letter which is filed in the Office of the Town Clerk.

The Long Island Farm Bureau requests that Allen Smith and the Riverhead Town Board pass a resolution tonight opposing the Jamesport Nuclear Reactors.

For five years, LILCO has claimed that a Harrisburg accident could never happen. LILCO's claims of safe operation are now worthless. The N.R.C. has stated that Jamesport is one of ten proposed reactors in the country which are susceptible to a hydrogen bubble accident.

For the Town Board to continue supporting LILCO indicates a callous indifference to the health, safety and economy of the people of Riverhead. Main Street would be a ghost town if this kind of accident occurred at Jamesport. The tourist, real estate, and agricultural industries would be ruined. Who would purchase L.I. Potatoes or ducks after watching the news about radioactive contamination.

This Town Board has consistently supported the Jamesport reactors on the grounds that Riverhead's tax base needs the Long Island Lighting Company.

The economic chaos caused by the Harrisburg accident should make it clear to the Town Board that the conservative and prudent course to follow now is opposition to the Jamesport Reactors.

If you are opposed to the Jamesport Nuclear Reactors, say so tonight by a resolution. If you do not pass a resolution, let the press report that you continue to insist — on blind faith alone — that nuclear reactors will operate safely in this Town." (End)

PERSONAL APPEARANCES - continued

Supervisor Smith: "Thank you Bill. Do you have a copy of your letter? If you have, give it to Mrs. Pendzick."

Bill Nohejl: "I have John Mullen here who is a close sponser of Suffolk for Safe Energy who would like to make his comments."

Supervisor Smith: "Mr. Mullen if you would give your name and address to Mrs. Pendzick."

John Mullen, Circle, Easthampton; "I'm employed as an advertising salesman. I make my living and livelihood here in Riverhead. I'm speaking for "Prevent the Plants", which is a Riverhead organization that is a member organization for Suffolk for Safe Energy. I'm speaking for 4,000 people who have signed petition cards that are in these boxes who are opposed to the Jamesport Nuclear Power Plants. The Town Board of Riverhead has been telling these people and other residents of the Town that we need the Jamesport Reactors for the Town's tax base. I ask the Town Board to consider tonight the economic chaos that would come to this Town if an accident similar to that of Harrisburg that occurred in the Jamesport Nuclear Reactors.

The projection of the tax benefit that we get from the Jamesport Plants, is it worth the economic chaos that result and that has hit Pennsylvania. I ask the Town Board this evening to pass a resolution opposed to the Jamesport Nuclear Power Plants and I say this, if the Town Board is sincere in its concern for the future economic well-being of Riverhead, it has no choice but to pass a resolution tonight opposed to the Jamesport Plants. If it does not, then let it state tonight and let it be reported that the Town Board supports nuclear power. And on blind faith, will continue to insist that nuclear power is safe and that the residents of Riverhead are not threatened.

I'd like to read something for you to consider that was reported in Newsday today. I think this should weigh heavily with you. 'Besides the immediate fears of an explosion at the plant, State Officials and local residents were beginning to worry about the long-term effects of the nuclear accident on the local economy and on property values. Worrying that nuclear disaster would be as devastating to the area as legionnaire's disease has been at the former Bellview Strafford Hotel in Philadelphia.

State representative, Steven Reed, a Democrat who represents most of Harrisburg was distributing an information sheet to constituents that warned, do not rush into a panic buying or selling situation involving a home or property.

PERSONAL APPEARANCES - continued

John Mullen continues:

Don't let anyone talk you into selling and getting out now while you still can get a decent price. Let the situation calm down a while before even giving something like this consideration.

In Middle Town, Doc Faeger plans to retire in a few years, after thirty-three years in the grocery business. Surveying his neat store gloomily he said this is my pension plan. In a few years, I'm going to sell or lease the building and it will be my retirement fund. If I sell now, will I get as much as I would have a month ago? Of course not. Would you want to buy a home here now?'

One last thing gentlemen. What price — Jamesport Nuclear Reactors, a projection of the tax benefit which is indefinite.

LILCO right now is suing Shoreham-Wading River School District so that it doesn't have to pay as much taxes as it had once promised in their proper candidate campaigns for the Shoreham Nuclear Plant. It's not even certain that there will be any tax benefit from Shoreham.

I think tonight is the time for the Town Board to consider and pass a resolution saying that the health and welfare and future economic well-being of Riverhead Town is above and beyond any projections of a tax benefit. I make my livelihood here in Riverhead. I know all the businessmen in Town, I sell them advertising. I write their copy. I design their ads. Advertising salesmen in Harrisburg are not working today. I don't want this to happen here. Please go on record opposed to the Jamesport Nuclear Power Plants."

Supervisor Smith: "Thank you Mr. Mullen. Anyone else? Yes Sir."

William Schneider, Press Committee to Supply Adequate Future Energy; "This is a committee representing 18,000 people who have signed our petitions in favor of nuclear power, and in favor of the Jamesport Power Plants. I've heard some statements here tonight that you people should rescind your vote of confidence to nuclear energy and to the Jamesport Power Plants. I feel that if you did this, it would be a mistake for Riverhead. It would be a mistake for Long Island, and it would be a mistake for the United States of America. The fact of life is that the United States of America and Long Island, in particular, is fueled 100% by foreign oil in a generation of — electricity needs nuclear energy. Still to this day, I think it can be said, that nuclear energy is the safest form of energy generation in the United States and in the world. There has never been a death to the civilian

PERSONAL APPEARANCES - continuedWilliam Schneider continues

population relating from nuclear energy.

Though the incident at Pennsylvania in Harrisburg was unfortunate, I believe that the dangerous levels of radiation that were reported by Safe and Sound and other anti-nuclear groups are a fabrication. The levels that were reported by the Nuclear Regulatory Commission by the utilities and by Brookhaven Lab show that the radiation levels were approximately the same as the people who live in Denver, Colorado get every day of their lives. It was reported in the newspapers that some people were so afraid that they took jet planes to Europe to try and get away from it. Well they found they got more radiation by flying a jet plane to Europe than they would have gotten if they stayed home.

The Jamesport Power Plants are very similar to the ones that were built out in Harrisburg. And like any technology, it advances. There's no doubt that at Jamesport's some revisions are going to be made because of the unforeseen problem with the hydrogen gas that was dissipated by the way and this can be done very easily by putting hydrogen recombiners over the top of the reactor vessel itself, which the hydrogen recombiners will take the hydrogen and reform it to oxygen and turn it back into water.

So it's nothing that technology can't overcome. We have — we live everyday of our lives with some types of danger. We certainly see it at least once a year, major oil refineries that blow up killing ten, twenty, thirty people. Billion dollar investments going down the drain. But we don't outlaw the oil industry. We don't try to prohibit the growth of the oil industry. What we do is we put it back together again. We learn from our mistakes.

Some people said to me, they like Shoreham. We should disband it and go to a newer reactor design. Well everytime a new airplane comes along that's safer than a 707, it doesn't mean we have to take the 707 out of the sky because we got a 747 that's safer than a 707. I believe the United States of America is coming to an age of a dangerous peril where foreign oil sheiks are going to be able to dictate to us our foreign policy and our standard of living. I don't believe that the American people want the United States of America to be dependent upon foreign energy sources. I urge you to support the Jamesport Power Plants. Thank you."

Supervisor Smith: "Thank you. Anyone else? Yes Sir."

Michael DeNicolo, 200 Priscilla Avenue, Riverhead;  
"I am chairman of ACIRT, an organization known as Allied

PERSONAL APPEARANCES - continuedMichael DeNicolo continues:

Citizens Interested in Riverhead Taxes. I urge the Town Board to hold firm their support from Nuclear Power. Let us not run rampant for what has happened in Harrisburg. There are a lot of questions to be answered and let us stand by and catch all the answers and make our decisions later on. Let's examine all the issues. With new technology they are moral, social, political and economic. The future of nuclear power must be decided in the town squares of America. After we have all the answers, let us take some time and let all the answers come in. Let's not run around and get paniky over this thing. We have only one alternative. It's the nuclear power. So please gentlemen, give this great thought and stand by your conviction."

Supervisor Smith: "Thank you Sir. In the back?"

Bruce Stark, Middle Road, Riverhead; "Actually I'm not here on nuclear power. We would like to rescind our request for the permit — Rotary. But I would like to comment on the nuclear power. I am pro-nuclear power, but I think Mr. Mullen makes a good point. When he used the example of the Legislator. Let us not be rash. Let us not rush into anything that we could be sorry about later. Thank you."

Supervisor Smith: "Anyone else? Ma'am."

Camille Lucarini, Rocky Point; "I would like to say I will support the Jamesport Nuclear Power Plants. I think it's important. I think we need them and I think if we don't have them that we won't have to worry about our potatoes or our farmlands because either they'll be nobody on Long Island, they'll be sitting in the dark or if we're not energy independent, everything will be too expensive. Our energy needs will be too expensive and we'll have to be forced to leave Long Island. That's all."

Supervisor Smith: "Thank you Ma'am."

Richard Harken, Center Moriches; "It surprises me to hear the farmers talk about the environment when years ago, if I can remember right, where they didn't care too much about the environment until the Federal Government came in and they put a stop to some of their



PERSONAL APPEARANCES - continuedRichard Harken continues:

pesticides. They and the duck farmers polluted the ground water that we drink. To this very day, if you drink your ground water, unless you use detergents or something else, if you drink your water it has a strange odor and a strange taste to it. It's not normal water. It's not clear so to speak. And it just didn't happen over night. It happened over a period of years of disregard for the environment.

But now that we got nuclear power this thing that happened up in Pennsylvania, that's serious, nobody's denying that. But I don't taste no radioactive water in Center Moriches. What I taste is the God — pardon me, the duck water that some of these environmentalists have given to us. And I get quite annoyed at times. I happen to be pro-nuclear and I hope you don't make any resolution to change your mind or change your stance on nuclear power.

Saudi Arabia at this point is the only one that's holding the line about supplying this Country with oil which is about 40%. Now if Saudi Arabia wants to do a nice act on us, they'd stop. I don't know what other form you got. Whatever form of energy you have, I don't know that you can produce, let's say within five or ten years, what do we do for an encore. So I hope you don't change your mind, stay with nuclear power. It's the only way out at this time."

Supervisor Smith: "Anyone else?"

Tom Shaffery, Riverhead; "I am a Southampton College Student majoring in petroleum, geology. I'd just like to say a few things that I've learned in the classes I've taken that everything in existence is all a by-product of the sun. Oil, coal and nuclear uranium are all by-products of the sun. So I ask why are we going to by-products when we can go to the source. I think solar energy is our answer and I think w're wasting our time on nuclear energy. It's a little too dangerous, I think. And I think independent energy and self sufficiency can be where it's at."

Supervisor Smith: "Thank you Sir. Anyone else? Why don't we give people firsts and we'll give you an opportunity for seconds. Anyone else for firsts? All right Mr. Mullen."

John Mullen: "In response to Mr. Nohejl's and my request for the Town Board to go on record this evening opposed to the Jamesport Plants, we've heard a number of people encourage the Board not to do so. Now I would like to read to you Riverhead Township attitudes toward nuclear

PERSONAL APPEARANCES - continuedJohn Mullen continues:

energy, a report paid for by the Long Island Lighting Company prepared by Marketing Evaluations Incorporated of Port Washington issued, October 1976. It's a study — well here's the question. Question 10. The Long Island Lighting Company seeking federal and state approval to construct two nuclear power plants in Jamesport. Do you favor or oppose construction of these power plants? This was the question by this research from — paid for by LILCO to obtain the attitude of residents of Riverhead. In favor 30%, opposed 54%. Total respondents 301. Fifty-four per cent of the 301 respondents were opposed to the construction of the Jamesport Plants. Thirty per cent were in favor. That's a majority of those questions were opposed. You can have people appear here tonight endlessly that could fill this room and speak to the issue. But the facts are in all polls taken by the Long Island Lighting Company, by independents, newspapers, and by the Harris organization, people in the Riverhead Town are opposed to the construction of the Jamesport Plants. How long will the Town Board continue to misrepresent the residents of this Town? That's the question. The opportunity has been presented to you gentlemen in a most horrid way this week to finally represent what people in this Town want. And I would like to add whether the resolution would be proposed now and voted on tonight?"

Supervisor Smith: "Mr. Mullen we thank you for your comments. Your survey has been read to us before and the issue is not a new one to this Town Board. Mr. Nohejl and I have debated the issue publicly and other ways for a considerable period of time. I don't know, as one member of the Town Board, why you see an urgency to a resolution of this Town Board this evening. It has taken at least four years for the Article 8 proceedings to come to the point where they are today. They will continue again Monday and to some degree, I believe that you're in motivation being here tonight is an attempt to capitalize on the events in Pennsylvania and if you are correct in your position about those power houses and you have absolutely nothing to fear, we're discussing this matter intelligently, studying the hard facts as they come out of Harrisburg and making a decision on that basis. If you are not prepared to approach it in a basic manner, then I can only say that you make decisions differently than I do in my life."

John Mullen: "Mr. Smith do you have any apprehensions for the health and welfare for the people of the Riverhead Town as a result of the Jamesport Power Plants operating?"

PERSONAL APPEARANCES - continued  
Supervisor Smith: "Certainly."

John Mullen: "What did you learn from the Harrisburg accident."

Supervisor Smith: "What I have learned to date, I would like some real hard answers to what occurred there. Whether or not the national government made choices relative to the future of this nation in terms of energy we're to follow a nuclear route or other routes that are available and those questions will be resolved in a derivative painstaking manner and that's what the article and proceedings are about."

John Mullen: "The greatest investigation, the results of the greatest investigation on nuclear power has been recorded. And the facts are available. You need to know what the N.R.C. is going to say as a result of what happened in the reactor core. It's been on the front pages of the New York Times and Newsday for the past five days. Two hundred thousand people left their homes, their jobs...."

Supervsior Smith: "Mr. Mullen, what are you afraid of?"

John Mullen: "I'm not afraid of any — what am I afraid of? I'm afraid of an accident at Jamesport."

Supervisor Smith: "There's nothing but potatoes growing up there at the moment, Mr. Mullen."

John Mullen: "I'm afraid of the farmers going out of business. The fishing industry going out of business. The resort industry going out of business. Real Estate industries in Riverhead going out of business. I'm afraid of the results of an accident at Jamesport."

Supervisor Smith: "Tomorrow? A week from now? A month from now? Six months from now? What do you fear about knowledge?"

John Mullen: "What knowledge have you collected from the polls of the residents of Riverhead? Why do you take a stand that is contrary to all the polls of the

PERSONAL APPEARANCES - continued

John Mullen continues:

residents of Riverhead, Mr. Smith? Why do you continue to misrepresent them?"

Supervisor Smith: "Mr. Mullen that debate has been going on between Mr. Nohejl and I in your absence for a considerable period of time and if . . ."

John Mullen: "Mr. Smith, I think the most prudent decision that you could make this evening would be to pass a resolution opposed to the Jamesport Plants until you have information at your accessibility that would make you feel differently and more secure about them."

Supervisor Smith: "That's your opinion Mr. Mullen and you're entitled to it and we thank you for being here and expressing it. I choose to study this matter and if the — study and hard work indicates that a change of position is warranted by the Town Board. I'm sure they'll do it."

John Mullen: "Mr. Smith, you have all the facts that you need to know at your accessibility right now and you've known them for four years and you're taking a stand."

Supervisor Smith: Mr. Mullen —

John Mullen: "Mr. Smith are you going to pass a resolution this evening opposed to the Jamesport Nuclear Plants."

Supervisor Smith: "No."

John Mullen: "Then let it be so recorded to the people of the Town of Riverhead."

Supervisor Smith: "You want to come back Bill?"

Bill Nohejl: "Yes, may I?"

PERSONAL APPEARANCES - continued  
Supervisor Smith: "Sure."

Bill Nohejl: "Mr. Smith would you condone in the Town of Riverhead what has happened at the past week at Harrisburg?"

Supervisor Smith: "What do you ask me to condone Bill?"

Bill Nohejl: "Would you be in favor of evacuation in the chaos that has happened at Harrisburg? Would you approve of it here in Riverhead?"

Supervisor Smith: "No."

Bill Nohejl: "You don't think that can happen here in Riverhead or Shoreham?"

Supervisor Smith: "I don't know that any of these technologies are fool proof. Nobody will guarantee that to any of us. We are talking about Jamesport at this particular point. And we have a proceeding with you and others on this side of the aisle and we work hard to put forth a view. It begins again on Monday."

Bill Nohejl: "No it doesn't. It's been postponed."

Supervisor Smith: "Well then we still have more time then if it's not going to begin again on Monday, to further debate this issue and as you heard me say before, I believe that it's a national issue. The potential always exists for a coal fire or oil fire facility at Jamesport and I don't know the precipitous action by the Town Board this evening is warranted."

John Mullen: "Time ran out in Harrisburg last week."

Bill Nohejl: "Mr. Smith you've made up your mind faster than you're unmaking your mind."

PERSONAL APPEARANCES - continued

Supervisor Smith: "Bill we've debated the issue. We've done it with a certain amount of proper decor. We're going to take a break in a few minutes. I don't believe such a resolution will be on for this evening."

Bill Nohejl: "Then I can say you're acting in blind faith."

Supervisor Smith: "That's your opinion or what has been transcribed here and you're entitled to it Sir."

Bill Nohejl: "Thank you."

Supervisor Smith: "All right. Mr. Benedict you haven't been able to speak yet."

Dick Benedict, Fanning Blvd., Riverhead; "I would just like to, as a taxpayer and resident in Riverhead, like to ask that the Town does not pass any resolutions tonight regarding this nuclear power plant or based on a survey that was taken in October 1976. Thank you."

Supervisor Smith: "Mr. Hatcher."

Frank Hatcher, 307 Northville Tpke; "I want to change it from nuclear to water power. I want to know what can be done about the water on Horton Avenue. I'm interested in that area."

Supervisor Smith: "Mr. Hatcher as you've noticed from the past issues of the review, there was a bond issue resolution adopted some meetings ago. As soon as the time passes on that particular bond issue, we can then begin to spend some portions of those moneys. I have, as you may know, negotiated for some property for relocation which may involve your particular buildings that was in the paper two weeks ago — 30 days must pass before I can do anything in that one, further when, as, and if God takes a break and lets that water level fall on the east side of the road, the sump that's there can be expanded to the four or five acres that we attempted to get it to fall before the water came. I have several letters out on up-land owners attempting to negotiate for sumps. Above you to the north, we will attempt to reset the water before it gets to you. Those are the approaches we've taken so far."

PERSONAL APPEARANCES - continued

Frank Hatcher: "Thank you very much."

Supervisor Smith: "Yes Sir."

Keith Howell, Rocky Point; "I only have two points I'd like to make. Granted the accident at Harrisburg was not a good thing. It was dangerous, there's no question. People talk about solar energy, but I wonder if they realize how many thousands of acres it would take for the solar panels to collect the power, the nuclear plant at Shoreham would generate information. I have read it's somewhere, maybe ten to twenty thousand acres. That's somewhere around two to four times the size of the RCA property in Rocky Point and everyone knows what size that is.

The other point I'd like to make is there are many coal fired power plants in the United States. How many people have stopped to think the number of times last summer when people with respiratory problems in New York City were told to stay inside because of the pollution. Then when there was radiation that came out of Harrisburg somewhere around maybe one half the limits allowed and people were told to stay inside, that was a front page story. But nothing was said about the pollution in New York City or any of these other places. Something to consider if you're talking about burning coal for the rest of your — what is it two hundred years that it will last. Then what do we do from there. Or maybe people think this country won't go on for another four hundred years. Maybe that's what they think. I don't know. But in the end it's all going to turn out somewhere and you can have your solar collectors and granted they will be more efficient as time goes on, but people talk about the environment maybe the pine barrens are trying to save out here on Long Island. Maybe that will be one of your power plants, some day if you want to go to solar.

There are dangers with nuclear power, there's no question. There are more safety features they have to put into these plants. But by and large, I think they are safe and that's probably in the long run, our only alternative. And in addition to nuclear power from the plants like Jamesport, I think they have to consider going to the breeder. So you're looking at two technologies to develop in the long range future. Thank you."

Supervisor Smith recessed the meeting for five minutes after which the meeting resumed.

4/3/79  
#140

RESOLUTIONS

GRANTS PERMIT TO EASTERN SCHOOL OF MUSIC TO HOLD  
SALE ON GROUNDS OF BENJAMIN - CORWIN PROPERTY

Councilman Lombardi offered the following resolution which was seconded by Councilman Regula.

WHEREAS, The Eastern School of Music has requested permission to hold a white elephant sale on the grounds of the Benjamin-Corwin property on East Main Street, Riverhead,

THEREFORE, BE IT RESOLVED, That the Eastern School of Music be, and is hereby granted permission to hold said sale.

The vote, Regula, Yes, Lombardi, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.

The resolution was thereupon declared duly adopted.

#141

TRANSFER OF FUNDS - TOWN CLERK

Councilman Lombardi offered the following resolution which was seconded by Councilman Regula.

BE IT RESOLVED, That the Supervisor is hereby authorized to transfer the following funds:

FROM:

Contractual	1410.400	\$60.00
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TO:

Equipment	1410.200	\$60.00
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The vote, Regula, Yes, Lombardi, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.

The resolution was thereupon declared duly adopted.

#144

AUTHORIZES OVERTIME FOR SNOW REMOVAL - HIGHWAY DEPT.

Councilman Young offered the following resolution which was seconded by Councilman Menendez.

RESOLVED, That the Superintendent of Highways be and is hereby authorized to pay time and one-half compensation for snow overtime March 1, 1979 through March 25, 1979 for a total of 128 hours in the amount of ONE THOUSAND ONE HUNDRED FIFTY-THREE AND 61/100 DOLLARS (\$1,153.61), in accordance with personal services abstract submitted and filed in the Office of the Town Clerk.

The vote, Regula, Yes, Lombardi, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.

The resolution was thereupon declared duly adopted.



RESOLUTIONS - continued

#145

AUTHORIZES TOWN CLERK ADVERTISE FOR BIDS FOR ONE  
TON 1979 DUMP TRUCK FOR OFF-STREET PARKING

Councilman Menendez offered the following resolution which was seconded by Councilman Young.

RESOLVED, That the Town Clerk of the Town of Riverhead be and is hereby authorized to advertise for sealed bids for the purchase of one (1) 1979 one-ton dump truck for the use of the Town of Riverhead Parking District., and be it

RESOLVED, That specifications and forms for bidding be prepared by the Superintendent of the Recreation Department, and bids to be returnable up to 11:00 A.M., on Monday, April 23, 1979, and be it further

RESOLVED, That the Town Clerk of the Town of Riverhead be and is hereby designated to open publicly and read aloud on April 23, 1979, at 11:00 A.M. at the Town Clerk's Office, Town Hall, 200 Howell Avenue, Riverhead, N.Y. all sealed bids bearing the designation, "BID ON ONE (1) 1979 ONE-TON DUMP TRUCK".

The vote, Regula, Yes, Lombardi, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.

The resolution was thereupon declared duly adopted.

#146

AUTHORIZES TOWN CLERK ADVERTISE FOR BIDS ON TWO  
(2) USED 10 WHEEL TRUCKS

Councilman Young offered the following resolution which was seconded by Councilman Menendez.

RESOLVED, That the Town Clerk of the Town of Riverhead be and is hereby authorized to advertise for sealed bids for the purchase of Two (2) Used 10 Wheel Trucks for the use of the Town of Riverhead Highway Department, and be it

RESOLVED, That specifications and forms for bidding be prepared by the Superintendent of Highways, and bids to be returnable up to 11:15 A.M. on Monday, April 23, 1979, and be it further

RESOLVED, That the Town Clerk of the Town of Riverhead be and is hereby designated to open publicly and read aloud on April 23, 1979, at 11:15 A.M. at the Town Clerk's Office, Town Hall, 200 Howell Avenue, Riverhead, New York, all sealed bids bearing the designation, "Bid on Two (2) Used 10 Wheel Trucks".

The vote, Regula, Yes, Lombardi, Yes, Menendez, Yes, Young, Yes, and before Supervisor Smith voted, he stated: "I really don't see the wisdom of buying used trucks. But if it's the consensus of what the Highway Superintendent wants to use somebody else's woes, Yes."

The resolution was thereupon declared duly adopted.

#147      RESOLUTIONS - continued  
AUTHORIZING TOWN CLERK TO PUBLISH AND POST PUBLIC  
NOTICE RE: ALTERNATION OF EXISTING FIRE DISTRICT  
BOUNDARIES

Councilman Regula offered the following resolution which was seconded by Councilman Lombardi.

WHEREAS, The majority of the duly elected fire commissioners of the Manorville Fire District, Towns of Riverhead and Brookhaven and the Riverhead Fire District, Towns of Riverhead and Southampton, have petitioned the Town Board of the Town of Riverhead to alter the existing boundaries between the respective fire districts,

NOW, THEREFORE, Be it

RESOLVED, That the Town Clerk be and hereby is authorized to publish and post the following public notice pursuant to Town Law section 172-A to alter the existing boundaries between the respective fire districts.

PUBLIC NOTICE

PLEASE TAKE NOTICE, That a Public Hearing will be held on April 17, 1979, at 8:00 o'clock P.M., at the Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, to hear all interested persons with respect to the petition of the Board of Fire Commissioners of the Manorville Fire District pursuant to Town Law section 172-A to alter the existing boundaries between the Manorville and Riverhead Fire Districts and adding to the Riverhead Fire District and deleting from the Manorville Fire District the premises described hereinafter:

ALL that piece or parcel of land lying in the Town of Brookhaven, Suffolk County, New York, described thusly:

BEGINNING at the intersection of the boundary line of the Towns of Riverhead on the north and Brookhaven on the south, and the boundary line of the Towns of Brookhaven on the west and Southampton on the east; thence southerly along the boundary line of the Towns of Brookhaven and Southampton approximately 10,000 feet to the northerly line of the land now of the County of Suffolk; thence, westerly along lands of the County of Suffolk and of the United States of America; thence, generally northwesterly following along the northerly boundary line of the United States of America to the boundary line of the Towns of Brookhaven on the south and Riverhead on the north; thence, easterly along said boundary line of the Towns of Brookhaven and Riverhead approximately 15,000 feet to the point or place of beginning.

Before the vote. Superv

The vote, Regula, Yes, Lombardi, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.

Councilman Young offered the following resolution  
as seconded by Councilman Menendez.

The vote, Regula, Yes, Lombardi, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.

Councilman Menendez offered the following resolution  
as seconded by Councilman Young.

PLEASE TAKE NOTICE, That a Public Hearing will

RESOLUTIONS - continued  
hereby prohibited in locations as follows:

1) Peconic Avenue, west side along curbs immediately adjacent to Burns Park.

2) West Main Street, Route 25, North Side from a point along the curbs immediately adjacent to 126 West Main Street at the parking space previously serviced by Meter No. 30.

The vote, Regula, Yes, Lombardi, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.

The resolution was thereupon declared duly adopted.

#150 TOWN BOARD AUTHORIZES REMOVAL OF PARKING METER NO. 30  
Councilman Menendez offered the following resolution which was seconded by Councilman Young.

WHEREAS, The Retired Senior Volunteer Program (R.S.V.P.) of 126 West Main Street, Riverhead, has requested that the Town Board create a no parking zone in front of their establishment on West Main Street in Riverhead, and

WHEREAS, The Town Board is of the opinion that the creation of this no parking zone would be within the interests of the Town; now, therefore, be it

RESOLVED, That pursuant to section 101-25(B) of the Town Code, the Town Board hereby authorizes the removal of parking meter no. 30, located on the north side of West Main Street immediately in front of 126 West Main Street.

The vote, Regula, Yes, Lombardi, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.

The resolution was thereupon declared duly adopted.

#151 AUTHORIZING SUPERVISOR TO EXECUTE CONTRACT WITH  
COUNTY OF SUFFOLK FOR REDUCED FARE PROGRAM

Councilman Menendez offered the following resolution which was seconded by Councilman Young.

WHEREAS, The County of Suffolk is currently providing a reduced bus fare program for eligible Suffolk County Senior Citizens and Supplemental Security Income (SSI) recipients in the form of a single, ten cent fare for a one-way, local bus trip, and

WHEREAS, The Town Board believes it would be in the best interest of the eligible residents of the Town of Riverhead to institute this program,

NOW, THEREFORE, Be it

RESOLVED, That Allen M. Smith, Supervisor, is authorized to execute the proposed agreement with the County of Suffolk for the sale of reduced fare bus tokens, and be it

RESOLUTIONS - continued

FURTHER RESOLVED, That the Recreation Department is authorized to implement this program and be responsible for the sale of the reduced fare bus tokens at the Recreation Department, Stotsky Park, on Pulaski Street, in Riverhead.

The vote, Regula, Yes, Lombardi, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.

The resolution was thereupon declared duly adopted.

#152 APPROVES PERFORMANCE BOND FOR FRESH POND LANDING  
Councilman Regula offered the following resolution which was seconded by Councilman Lombardi.

WHEREAS, An application for subdivision approval has been presented to the Town Planning Board by Mr. John J. McNulty for Fresh Pond Landing, and said application has been reviewed and approved by the Planning Board subject to several conditions, one of which is this Board's approval of the Performance Bond, and said bond has been presented and reviewed by the Town Attorney,

NOW, THEREFORE, be it

RESOLVED, That Performance Bond No. 925053 in the amount of \$160,000.00 of the Republic Insurance Company, and under the name of Claredon Homes, Inc., is approved as to form, sufficiency, and manner of execution, and that it be filed with the Town Clerk and be subject to further resolution of this Board.

The vote, Regula, Yes, Lombardi, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.

The resolution was thereupon declared duly adopted.

#153 GRANTING OF SPECIAL PERMIT APPLICATION FOR SEGAL BROTHERS, INC.

Councilman Young offered the following resolution which was seconded by Councilman Menendez.

WHEREAS, Segal Brothers, Inc., has applied to the Town Board of the Town of Riverhead for a special permit for a non-nuisance industry pursuant to Riverhead Town Code section 108-45(B)(5) for the collection and recycling of non-ferrous metals which the corporation alleges for no adverse effects upon the environment or ecology of Riverhead in an east building located on the south side of New York Route 58, and

WHEREAS, A duly authorized and noticed public hearing was held at the Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, on March 20, 1979, at 8:15 P.M., wherein no opposition was voiced, and

WHEREAS, Said application was referred to the Riverhead Town Planning Board, which on March 2, 1979

## RESOLUTIONS - continued

recommended approval subject to the following condition that there be no outside storage in the process of the recycling of non-ferrous metals, and

NOW, THEREFORE, be it

RESOLVED, That the application of Segal Brothers, Inc., for a special permit for a non-nuisance industry be granted pursuant to the Riverhead Town Code Section 108-45 (B)(5) for the collection and recycling of non-ferrous metals at the east building, south of Route 58 subject to the following condition: that there be no outside storage in the process of recycling of non-ferrous metals.

The vote, Regula, Yes, Lombardi, Yes, Menéndez, Yes, Young, Yes, and Smith, Yes.

The resolution was thereupon declared duly adopted.

#155 RESOLUTION AUTHORIZING PUBLIC HEARING FOR CODE AMENDMENT

Councilman Young offered the following resolution which was seconded by Councilman Menendez.

RESOLVED, That the Town Clerk hereby is authorized to publish and post the following Public Notice with regard to the fully proposed amendments to the Riverhead Town Code which pertain to Chapter 100, Vehicles, Abandoned, Chapter 100., Vehicles, Abandoned., will be amended as follows: Additions will be by underlining, deletions by ~~strikeouts~~.

VEHICLES, ABANDONED

(Additions will be by underlining, deletions by ~~strikeouts~~)

Section 100-2. Definitions.

~~JUNKED MOTOR VEHICLES - Any motor vehicle in such condition as to cost more to repair and place the same in operating condition than the reasonable market value before such repair.~~

JUNKED MOTOR VEHICLE - Includes every vehicle or part of section of a vehicle manufactured, made, altered, or designed to be operated by any power other than muscular power, whether in running condition or not, or without a motor, that is not properly and currently registered as a motor vehicle or does not display a proper and current registration plate.

§100-4. Notice of violation.

A. If the provisions of the foregoing sections are believed to be violated, the enforcing officer

RESOLUTIONS - continued

shall serve a written notice, appearance ticket, either personally or by registered, certified or ordinary mail, upon the owner, occupany or person having charge of such private property, to comply with the requirements of this chapter. The enforcing officer may determine ownership of any parcel of land in the Town of Riverhead from the current assessment roll of the town and may serve written notice upon the owner thereof by mailing such notice to the owner at the address listed on the current assessment roll. ~~If the enforcing officer is unable to determine the ownership or address of the owner of said private property, such notification may be made by publishing same in the official newspaper of the town for two (2) consecutive weeks.~~

## Section 100-4-(B)-Notice of violation.

B. The notice shall be in substantially the following form:

To the owner, occupany or person having charge of land within the Town of Riverhead briefly described as follows:

---

(here describe subject property)

---

Notice is hereby given that an abandoned, junked, discarded or unlicensed motor vehicle is stored or deposited on the above described property in the Town of Riverhead. This vehicle must be removed therefrom within ten (10) days from the date of this notice; provided, however, that if this notice is served on you by publication, the said motor vehicle shall be removed within twenty-four (24) days from the first publication date of this notice.

If such motor vehicle is not removed on or before the expiration of said ten (10) days from the date hereof, or on or before the expiration of the said twenty-four (24) days from the date of this notice, in the event it is served upon you by publication, you are hereby summoned to appear before the Town Board of the Town of Riverhead, New York at ----- o'clock -- M., on the ----- day of -----, 19--, at which time a hearing will be held to determine why the Town of Riverhead, New York, acting through its duly authorized

## RESOLUTIONS - continued

agents, servants, officers and employees, should not enter upon the said property and remove and cause the said motor vehicle to be destroyed. -- In the event the Town Board directs that the said motor vehicle be removed and destroyed, the expense incurred by the Town of Riverhead shall be assessed against said property and shall constitute a lien thereon and be collected in the manner provided by law.

Dated:

Enforcing Officer - Town of Riverhead

## § 100-5. -- Hearing.

In the event an abandoned, junked, discarded or unlicensed motor vehicle is not removed as prescribed above, the Town Board of the Town of Riverhead shall hold a public hearing on the date and at the time specified in the notice, at which hearing the persons interested may be heard concerning the removal of said motor vehicle. -- After said persons are heard, the hearing shall be closed and the Town Board shall determine whether said motor vehicle has been abandoned, junked or discarded in violation of this chapter. -- It shall also determine whether or not the said motor vehicle is unlicensed. -- In the event of such determination, the Town Board may issue an order directing the removal and destruction of said motor vehicle, and the Town Board may also cause the expense thereof to be assessed against the property described in the notice, all in the manner provided by law.

## § 100-6. -- Penalties for offenses.

- B. For the purpose of conferring jurisdiction upon courts and judicial officers generally, violations of this chapter or any provisions or part thereof shall be deemed misdemeanors, and for such purpose only all provisions of law relating to misdemeanors shall apply to such violation.

## Section 100-7. Procedure.

## § 100-7. -- Procedure.

Notwithstanding any other provision of this chapter,



## RESOLUTIONS - continued

~~the-Town-of-Riverhead-may-serve-such-noticees,-hold-such hearings-and-do-such-other-and-further-things-as-are set-in-§§-100-4-and-100-5-hereof-and-may-at-the-same time-or-at-any-other-time,-without-prior-notice,-proceed-under-§-100-6-hereof-concerning-the-imposition-of penalties.~~

## § 100-7. Procedure, storage and charges.

- A. In the event an owner, occupany, or person having charge of private property is found guilty of storing an abandoned vehicle, such person shall be given a reasonable period of time to either remove the vehicle or bring it into compliance with this Chapter. If such vehicle is not either removed or brought into compliance with this chapter within a reasonable time, the Justice of the Peace may issue an order directing the removal of said motor vehicle by the Riverhead Town Police or by a person engaged in the towing business within the Town of Riverhead. The person having charge of the private property shall be required to pay the Town of Riverhead a fee for said towing. The person responsible for the private property shall also be required to pay a reasonable storage charge for every day after such removal. Said fees and charges shall be the same as established pursuant to section 101-22(A.).
- B. Prior to releasing or surrendering such removed vehicle, the Riverhead Police Department shall require the vehicle owner to produce proper identification of ownership. No vehicle shall be released from the impound by a desk officer until all removal and storage charges have been paid.
- C. An impound form shall be used by police for each removal.

The vote, Regula, Yes, Lombardi, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.

The resolution was thereupon declared duly adopted.

#156 AUTHORIZES LT. ROBINSON TO ATTEND FBI NATIONAL ACADEMY

Councilman Menendez offered the following resolution which was seconded by Councilman Young.

WHEREAS, Lt. Donald L. Robinson has been accepted by the National Academy of the Federal Bureau of Investigation,

RESOLUTIONS - continuedNOW, THEREFORE, Be it

RESOLVED, That Donald Robinson is hereby authorized to attend the Federal Bureau of Investigation National Academy at Quantico, Virginia, from April 1, to June 30, 1979, and that his expenses be reimbursed upon submission of vouchers.

The vote, Regula, Yes, Lombardi, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.

The resolution was thereupon declared duly adopted.

#157

REQUESTS STATE OF NEW YORK APPROVE BILLS TO  
DETERMINE DESIGNATION OF PECONIC RIVER - HOMERULE

Councilman Regula offered the following resolution which was seconded by Councilman Lombardi.

WHEREAS, The Riverhead Town Board recognizes the importance of protecting natural resources of the Town; and

WHEREAS, The scenic and recreational values of the Peconic River are an important resource of the Town of Riverhead; and

WHEREAS, The New York State Legislature has introduced legislation to request the New York State Department of Environmental Conservation to perform the necessary studies to determine if the Peconic River should be designated wild, scenic or recreational; and

WHEREAS, The Riverhead Conservation Advisory Council has recommended that the studies be carried out;

BE IT RESOLVED, That the Riverhead Town Board requests Governor Carey and the New York State Legislature to approve the proposed State Senate and Assembly bills allowing the New York State Department of Environmental Conservation to perform the necessary studies on the Peconic River to determine whether a wild, scenic or recreational designation should be given to all of portions of the Peconic River.

The vote, Regula, Yes, Lombardi, Yes, before voting Councilman Menendez stated: "This river has been studied to death. However, if the state wants to study it again, it's all right with me just as long as it doesn't cost the Town anything. I vote Yes."

Young, Yes, and before Supervisor Smith stated: "I think the river will survive all of us, despite our best efforts. Yes."

The resolution was thereupon declared duly adopted.

#158      RESOLUTIONS - continued  
RESOLUTION CALLING FOR PUBLIC HEARING FOR  
SPECIAL PERMITS

Councilman Lombardi offered the following resolution which was seconded by Councilman Menendez.

RESOLVED, That the Town Clerk be and she hereby is authorized to publish and post the following Notice of Public Hearings before the Riverhead Town Board on the 17th day of April, 1979,

1) The application of the Polish Town Civic Association for a special permit pursuant to Riverhead Town Code section 108-39(B.) (3.) to re-establish a non-conforming use in a Business C District, and

2) The application of Bay Isle Oil Corporation for a special permit pursuant to section 108-34 (B.) (1.) to re-establish a gasoline service station.

The vote, Regula, Yes, Lombardi, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.

The resolution was thereupon declared duly adopted.

#159      TOWN BOARD GRANTS LICENSE TO ROTARY CLUB FOR  
CARNIVAL      - Withdrawn

#163      ADOPTION OF AMENDMENTS TO RIVERHEAD TOWN CODE  
Councilman Lombardi offered the following resolution which was seconded by Councilman Regula.

WHEREAS, The Town Board of the Town of Riverhead has duly published and posted certain proposed amendments to the Riverhead Town Code, and

WHEREAS, A public hearing was held on March 20, 1979, at 8:00 P.M., wherein no opposition was voiced to said proposed amendments, and

WHEREAS, Local Law No. 3-1977 of the Town of Riverhead allows summary publication of adoptions of amendments to ordinances to the Riverhead Town Code, it is hereby

RESOLVED, That the following proposed amendment to the Code of the Town of Riverhead is hereby adopted which pertains to Chapter 108-56., Signs., subsection (K), Amortization of Signs, the designation of the Zoning Board of Appeals as the agency which shall consider amortization of signs, and be it

FURTHER RESOLVED, That copies of this amendment of the Riverhead Town Code is available for inspection at the Town Clerk's Office during normal business hours and that this amendment of the Town Code shall take effect ten (10) days after publishing and posting, and be it

RESOLUTIONS - continued

FURTHER RESOLVED, That the Town Clerk is hereby authorized to publish and post the adopted amendment.

The vote, Regula, Yes, Lombardi, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.

The resolution was thereupon declared duly adopted.

Supervisor Smith: "We have two matters ladies and gentlemen, we're going to hold. The application of Mr. McKay was mentioned previously and there are some proposed amendments with reference to pro-putt, we've just been discussing with Mr. Benedict. For the purposes of the press, I guess what we'll say is we'll hold a special Town Board Meeting for the purposes of McKay and Pro-Putt amendments, if any, 7:30 one week from tonight. Those will be the items on the agenda and or any other like items that arise during the week. We may have to do some things with reference to the 821 closing too.

Does anyone want to take the opportunity to address the Board again?"

Mike Peretta, Wading River; "Mr. Supervisor if we could go back to resolution #155 or #154. Can you actually define that amendment regarding abandoned cars? You know the area we live in. Many, many abandoned cars. Can you tell us how we stand on that?"

Supervisor Smith: "This jurisdiction after many years of an ordinance on the books, or a local law on the books relative to abandoned cars, it came into existence probably twenty years ago. It created a somewhat convoluted method of dealing with the cars, that called for enforcement by the Police Department. It said that there would be a trial before the Town Board and that violation of this particular local law was a misdemeanor. The consequences of calling this kind of violation misdemeanors you get involved in jury trials. As a consequence, there has been very little action on the abandoned car provision of our code of the Town of Riverhead. As part of our general effort on home improvement, we've considered this particular problem where the vehicles are unlicensed, unsightly, etc., essentially junk yards put on a residential nature. And we wish to make these amendments which would have the matters prosecuted before the JP's, etc., and if there's a problem in your particular area we'd appreciate if you'd turn in on the night the amendments are heard in the public hearing and support it two weeks Tuesday."

PERSONAL APPEARANCES - continued

Mike Peretta: "Well can you give a for instance what will happen in our area where we have so-called private roads?"

Supervisor Smith: "It doesn't matter. There's two ways of approaching it under the vehicles and traffic laws in the State of New York if we get the cooperation of the owner we can go in and get them with the Town wrecker. This pertains to private property. Mr. Saxtein, one car without plates or no car without plates?"

Henry Saxtein, Town Attorney; "To my recollection it allows no car without plates. Any car without plates is deemed to be abandoned. Any unlicensed car is an abandoned vehicle and can be removed when complaints are made to the police."

Supervisor Smith: "We would have to exercise a certain amount of discretion."

Mike Peretta: "We're talking about an area of private roads. Not only private property, but private roads."

Supervisor Smith: "Private property?"

Mike Peretta: "Private property. You don't come through private roads, then is this the point."

Supervisor Smith: "No, I didn't say that. Let's have the hearing. Let's hear what people want to say about it. It's an ordinance. It's on the book today. The only addition we're making essentially is now it's enforced. We also take out the misdemeanor business."

Mike Peretta: Okay, thank you."

Supervisor Smith: "Mr. Nohejl?"

Bill Nohejl, Wading River; "Has the ordinance been approved — is it legal now to ticket a person standing in a fire zone?"

PERSONAL APPEARANCES - continuedSupervisor Smith: "Yes I think we've . . ."Bill Nohejl: "I know, but so many days after you pass the resolution. How many days was it?"Councilman Lombardi: "Ten days."Councilman Young: "A certain area."Bill Nohejl: "Well I'm telling you it sure in hell is not being enforced?"Councilman Menendez: "Well we can't enforce it until we have the signs made and put up. The signs are being made now."Bill Nohejl: "There's sign on the . . ."Councilman Menendez: "Yes, but there's no parking, but it doesn't say . . ."Bill Nohejl: "It's says fire zone."Councilman Menendez: "That's why they get away with it."Supervisor Smith: "Remember that public hearing where we got into that standing, stopping, and parking business. That was the change and the signs are being prepared as I got it."Bill Nohejl: "In other words, the Town is going to put up signs in the private. . ."Supervisor Smith: "Yes Sir. We're entitled to do that under vehicle and traffic law."Bill Nohejl: "Because some place. . ."

PERSONAL APPEARANCES - continued

Supervisor Smith: "We didn't get cooperation with your fellow in Wading River, by the way. Remember we were trying to get King Kullen, whoever the owner was . . ."

Bill Nohejl: "Serota."

Supervisor Smith: "We never got his permission."

Bill Nohejl: "For what, for what?"

Supervisor Smith: "To establish the fire zone and post it. We happen to believe that a fire zone should be established in that area."

Bill Nohejl: "It's all marked out on the pavement."

Supervisor Smith: "Yes, but he doesn't give us legal authority to enforce it in terms of vehicle and traffic situations and towing where it would become necessary. He turned us down."

Bill Nohejl: "Under this new ordinance will it be covered under . . ."

Supervisor Smith: "You have to get cooperation of the owner. I even think that the Wading River Fire District tried to get him to cooperate and he wouldn't. Do you want to check into it, if you know the guy?"

Bill Nohejl: "Yes I know him."

Robert Hartmann, 66 Sound Avenue, Riverhead; "And guess what I'm going to talk about. Everybody else had their shot at it. I want mine. Although I don't think I'm going to change any of you guy's heads, I don't know that you want to be changed. But gentlemen, we're all living in slavery. The slavery we had years ago in this country with the colored people was nothing compared to what we have now. All this hullabaloo with gas and oil, the same thing with nuclear, in this field, that we have today. It's nothing

PERSONAL APPEARANCES - continuedRobert Hartmann continues:

but a big load of baloney. The name of the game is M-O-N-E-Y. Prefaced by B-I-G. And you throw all the industrial waste and the way industry is operating in this Country and boy we're sitting in one hell of a mess. Now you guys realize this. Everybody does. But it's big money all over the place. Money buys things, but it doesn't make it right, but it makes it acceptable.

When are we ever going to turn around. You guys are politicians. What we need is politicians with some guts to say no. This is wrong. We're going to start something here and turn it around. Any level of government. Something has got to start somewhere. You know all the inventions have been brought up by oil companies through the years. We could drive a car down the road today, same size car. We got and use about as much gas as a motorcycle uses. Now by golly that would really be beautiful for you and me, wouldn't it? And it would cut our pollution to practically nil. But the gas companies, they aren't going to make a hell of a lot of money over this, because they have to have some justified price increase then. But now they have something good. Their justifying is about every day of the week. Aren't they kind of ridiculous? Isn't it? The Lilco industry is the same ball game. We're talking about big money. And the only ones pushing it is the big money nuclear industry and the U.S. Government.

Is anybody pushing solar? You had a young fellow in college here tonight. And here's a young guy coming up. He hasn't seen all the ways of the world now. He's learning out of books. To him it's plain and simple, besides the answer to everything. Shouldn't it be to us? Shouldn't it be to all the money grubbers we got in this country. The sun is the answer to our problem plain and clear. And we'll have that power from the sun. We could have had it yesterday. Only they're too busy figuring out how to put a meter on that thing. They can't afford to lose all this easy money. That's the answer to the ball game. Big money and they don't want to lose a dime of it. But who pays for it. All the poor good schmoes in the country. Now you're talking about a lot of people, aren't you? And that's the slavery of it. We're eating it up. What the hell, you go down to the store and the guy tells you ten cents more for a box of cigars today. Well everything else is going up, I'll pay it. Heck now we're accepting this as a way of life. What are you crazy? You can't do this. When the hell is somebody going to have some guts and turn around and say no. And that's what I think you should be doing with the nuclear plants right from the start.

You always know where I stand, cause I'm going to tell you and I've been telling you for years, I believe you're really seriously wrong on this. One of the prime things that



PERSONAL APPEARANCES - continuedRobert Hartmann continues:

they need — two of the prime things for a nuclear plant to be sited is a good water supply. They already got that here along the island. They need two million gallons a minute. If you can comprehend how much water that is spinning around in there. And the other is have a population no higher than a certain level. It doesn't take a smart guy to figure out why isn't the population down. They don't tell you this. But if you start looking through the records, through the fields and that, it's very simple to find. All they want to tell you, it's so safe, it gives off no ignitions. It's never going to blow up. It's clean. It's quiet. You could stand outside right along side it and you could hear nothing. Well if it's that safe and clean, why the hell can't they put it down where you need the power. Pipe the water there, we'll get the water there. Put it down there. Why do we have to play with the lives of ourselves here?"

Supervisor Smith: "Robby you . . ."Robert Hartmann: "I'm not done yet."Supervisor Smith: "Okay."

Robert Hartmann: "We're just playing with the lives of ourselves. And here again for what, I said before money. I believe that's the only reason you're going for this plant, is for the money. What the hell good is the money if we're going to take that kind of chance. Is money worth that to everybody here? I really don't believe it. And I think if you guys really think deep about it, I don't think you believe it either. Now I know you're all God fearing men just like everybody else in this room. Did you read Pope John Paul's first encyclical. Did anybody read it?"

Supervisor Smith: "I read a lot of things."

Robert Hartmann: "But in his encyclical just like the two previous Popes before him, excluding John Paul I, he never lived long enough to write an encyclical, but Pope John, Pope Paul and Pope John Paul, three Popes have been in quite a number of years and they're the leaders of what I guess you would call it one of the largest congregations in the world. They represent millions and millions of people all around the world. All three of them quoted in

PERSONAL APPEARANCES - continuedRobert Hartmann continues:

the encyclicals they denounce all A-L-L, all phases of the nuclear power as being too serious a threat to man. And I believe that tells a story right there. In all due respect to you, Allen Smith, I know you're a good man, but I'll tell you something. To follow you and that peanut man in Washington, but I put a lot of faith in those three Popes. I'll follow the three Popes rather than follow you two guys."

Supervisor Smith: "Okay Bob. You and I have engaged in this debate a long time. I think on the first part of your theme, now in you religious themes, you've heard me say that the Philosopher called "Pogo", 'It is at the root of our problem. We have met the enemy and he is us.' On that theme, maybe we could obviate the necessity of Shoreham or Jamesport by simply outlawing air-conditioning. Would that be sufficient to reduce the peak loads. Such an item would be necessary? Is it too much to ask this society to do that. Robert I gave you a chance, give me mine. It doesn't seem that we'd do that. This would alleviate part of the problem. We've discussed it and debated it in length on this occasion and other occasions and we'll probably keep it up for a long time to come. I'm sure the thing will not be resolved in this room tonight and it's probably going to take a lot of resolutions along the line to find the answers necessary for this nation. I look forward to debating you on this one."

Robert Hartmann: "I didn't bring it up as a religious view point. These are very well respected men in the world. Very learned men."

Supervisor Smith: "I understand that Bob. What there is that — there is a spiritual world and mine is a temple. And I'm in a world where people want their offices air-conditioned. My house doesn't have air-conditioning. How about yours?"

Robert Hartmann: "I got some."

Supervisor Smith: "Okay. Some of us drive new cars."

Robert Hartmann: "I can get along without air-conditioning. In our home, we didn't get electricity until 1939. I grew bigger than anybody else in the family

PERSONAL APPEARANCES - continuedRobert Hartmann continues:

and stronger. And electric didn't bother me. And I got the same kerosene lantern home right in my parlor today, my living room. I can light it up again. I think that's what the people in this country need. Get back to life a little bit. We're living in a plastic world here. All created by money."

Supervisor Smith: "Bob that's going to be decided on a greater scale than you or I. And let's hope we got some leaders that can do that."

Robert Hartmann: "All right, but all the while your contention is that you're for nuclear power. Do you figure like Schlesinger? He says the good is worth the risk. Are you willing to risk Riverhead and in the people in it?"

Supervisor Smith: "I have never said there is no risk with reference to these power houses. Okay now what I want to know is what happened there? Why it happened? Whether or not it can be dealt with etc., etc. Okay. And when we evaluate what has happened in (inaudible) and sitting together as we do, then we'll make that decision."

Robert Hartmann: "I understand that Allen. I can make all the changes in the world. They can have, Jesus, it couldn't be built any better. Any technology. But it still takes a man to operate it. And a man makes mistakes."

Supervisor Smith: "I don't doubt that."

Robert Hartmann: "It's too dangerous to play with a change of mistakes. Look when you have an oil plant and blows up, the bricks blow from here to there."

Supervisor Smith: "Yes."

Robert Hartmann: "And that's the extent of the damage. But with something like this, there is no — you can't draw a line and say there's the extent of the damage. "

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PERSONAL APPEARANCES - continued  
Supervisor Smith: "You and I have had this debate going for three years. It's going to go one . . ."

Robert Hartmann: "It might go on for a little longer."

Supervisor Smith: "Yes Sir. All right."

Bill Nohejl: "I would like to make one statement."

Supervisor Smith: "Sure Bill go ahead."

Bill Nohejl: "In reference to the statement you just made about you wanted more war, if that's the way you feel, this Town Board should be neutral."

Supervisor Smith: "Bill we are not neutral."

Bill Nohejl: "I know you're not."

Supervisor Smith: "And reasoning that was behind the resolutions you know supporting that position were debated at that particular time and it was the wisdom of the Town Board then and since that there were good reasons for the support of the power house. When, as and if we get contrary information out of this particular power house situation or if the State of Federal Government says there shouldn't be nuclear power, the thing is at an end. Meanwhile, there are acute tax problems of this Town."

Bill Nohejl: "Sir, I give you a million dollars now. For you to die tomorrow, you would not accept the million dollars."

Supervisor Smith: "Bill that's trying to sensationalize and emotionalize."

Bill Nohejl: "So money doesn't mean that much. You know that."

PERSONAL APPEARANCES - continued

Supervisor Smith: "Bill the same thing I said about it last year. We're going to debate this for a period of time to come. We can do it without sensationalizing the thing."

Bill Nohejl: "It's not sensationalizing. It's realization."

Supervisor Smith: "All right. That's your view. Anybody else?"

Emma Karch: "I don't want to get up. I'd just like to ask a question, whether or not you pass a resolution, just how much do you and your Town Board think will have anything to do with the final decision? I mean it will be done either by government agencies, the State — do you have that much input that you could get them to put it here or not. I don't believe it."

Supervisor Smith: "That is a question that can't be answered easily."

Emma Karch: "If the government wants to put it here or whoever does . . ."

Supervisor Smith: "If the Federal Government makes up it's mind to a nuclear power house here or any place else, they will."

Emma Karch: "You couldn't stop them?"

Supervisor Smith: "No."

There being no further business on motion and vote, the meeting adjourned at 9:37 P.M.



Irene J. Pendzick, Town Clerk

IJP/vlv